| Application Number | Application/Co | | Applicant(s)/Patent (Reexamination HOLLAND, DARRE | | | | | |
|-----------------------------|---|-------------|--|----------------------|--|--|--|--|
| Document Code - DISQ | | Internal Do | ocument – DC | cument – DO NOT MAIL | | | | |
| | | | <u>-</u> | | | | | |
| TERMINAL DISCLAIMER | ☐ APPROVED | | ⊠ DISAPP | ☑ DISAPPROVED | | | | |
| Date Filed : January 7,2008 | This patent is subject to a Terminal Disclaimer | | | | | | | |
| A | | | | | | | | |
| Approved/Disapproved by: | | | | | | | | |
| Henry D. Jefferson | | | | | | | | |

U.S. Patent and Trademark Office

T.D. INFORMAL MEMO: DO NOT MAIL THIS MEMO TO APPLICANT

| Date: | | | 29-Jan-08 | APPL. S. N: | 10751577 | | | | | |
|------------------------|------------------------|--|---|--|---|--|--|--|--|--|
| To Exam | iner: | | ADEGEYE, OLUWASEU | Art Unit | 2621 | | | | | |
| From | | | Jefferson, Henry PARALEGAL SPCECIALIST | Return This Memo To: Case Drop-Off Location | JEF-2D68 | | | | | |
| SUBJEC [*] | T: Decisio | n on Termin | al Disclaimer(T.D.) filed: | | | | | | | |
| form par- or have a | agraphs i any quest | dentified by ions, please | this informal memo in your nex see me or the Special Program | results as set forth below. If you a t Office action to notify applicant of Examiner. THIS IS AN INFORMAL, OF RECORD IN THE APPLICATION F | f the T.D. If you disagree INTERNAL MEMO ONLY. | | | | | |
| please in | itial, date | and return | this memo to me. THANK YOU. | | | | | | | |
| | The T.D. | D. is PROPER and has been recorded (see 14.23). | | | | | | | | |
| <u> </u> | The T.D. | D. is NOT PROPER and has not been accepted for the reason(s) checked below (see 14.24): | | | | | | | | |
| | <u></u> | | of has not been submi | tted nor is there any authorization | in the application file for the | | | | | |
| | | The T.D. does not satisfy Rule 321 in that the person who has signed the T.D. has not stated the extent of his/her interest (and/or the extent of the interest of the business entity represented by the signature) in the application/patent (see 14.26 & 14.26.01). | | | | | | | | |
| | | The T.D. lacks the enforceable only during common ownership clause – needed to overcome a non-statutory double patenting rejection, Rule 321(b) (see 14.27.01). | | | | | | | | |
| | | The T.D. is directed to a particular claim(s), which is not accontable since "the disclaimer must be for a termin | | | | | | | | |
| | lee | The person who signed the T.D.: | | | | | | | | |
| | | is | not an attorney "of record" (see | 2 14.29 and 14.29.01). | | | | | | |
| | | ☐ ha | s failed to state his/her capacity | y to sign for the business entity (se | ee 14.28). | | | | | |
| | | ┌ is | not recognized as an officer of t | the assignee (see 14.29 & possible | 14.29.02). | | | | | |
| | | No documentary evidence of a chain of title from the original inventor(s) to assignee has been submitted, nor is the reel and frame number specified as to where such evidence is recorded in the Office (see 37 CFR 3.73(b) and 1140 O.G. 72). NOTE: This documentary evidence or the specifying of the reel and frame number may be found in the T.D. or in a separate paper of record in the application (see 14.30). | | | | | | | | |
| | \Box | The T.D. is | not signed (see 14.26 & 14.26.0 | 03). | | | | | | |
| | | The serial number of the application (or the number of the patent) which forms the basis for the double patenting rejection is missing or incorrect (see 14.32). | | | | | | | | |
| | | The serial number of this application (or the number of the patent in reexam or reissue cases being disclaimed is missing or incorrect (see 14.26, 14.27.02 or 14.26.05). | | | | | | | | |
| | | The period | disclaimed is incorrect or not sp | ecified (see 14.26, 14.27.02 or 14. | 26.03). | | | | | |
| | | Other: | | | [- -27] | | | | | |
| | 口 | Suggestion to request refund (see 14.36). NOTE: If already authorized, credit refund to deposit account and do not check this item. | | | | | | | | |
| I have ap | propriate | | | Terminal Disclaimer filed in this cas | e. | | | | | |
| Ex.Initial | s: | Da | nte: | · | Log Date: | | | | | |
| | | | | | • | | | | | |



TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A PRIOR PATENT

Attorney Docket No.: 068034-5002

In re Application of: Darren Holland

Application No.: 10/751,577 Filed: January 5, 2004

For: AUDIO COMPONENT WITH INTEGRATED DIGITAL RECORDING AND STORAGE MEDIA

The owner*, <u>DARREN S. HOLLAND</u> of 100% percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. <u>6,674,692</u>. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. [] For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.) the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. [X] The undersigned is an attorney of record.

January 7, 2008

Date

<u>Stephanie Wardwell</u> Stephanie Wardwell Reg. No. 48,025

[x] Terminal disclaimer fee under 37 C.F.R. § 1.20(d) is included. 01/08/2008 HMARZII 08000065 500310

02 FC:2814

65.00 DA

10751577

*Certification under 37 C.F.R. § 3.73(b) is required if the terminal disclaimer is signed by the assignee.